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3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
4 **OF THE STATE OF WASHINGTON**  
5

6 IN THE MATTER OF ENFORCEMENT )  
7 ACTION AGAINST )

PDC CASE NO.: 01-184

8 JAMES WHITE )

**FINAL ORDER IMPOSING FINE**

9 Respondent. )  
\_\_\_\_\_ )

10 **INTRODUCTION**

11 The Washington State Public Disclosure Commission (Commission) conducted an  
12 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on  
13 February 26, 2002, with respect to the above-encaptioned matter. The Commission held the  
14 hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia,  
15 Washington. The Respondent appeared at the hearing, both personally and through his  
16 attorney of record, David Hokit. The Staff appeared both personally and through their  
17 attorney of record, Linda A. Dalton, Senior Assistant Attorney General.  
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19 During the hearing, the Staff presented, for the Commission's consideration, the  
20 Report of Investigation dated September 6, 2001, the Addendum to the Report of  
21 Investigation dated November 16, 2001, the Notice of Administrative Charges issued on  
22 November 16, 2001, and the parties' Stipulation of Facts, Violations and Penalty dated  
23 February 13, 2002. Specifically, the parties agreed that the Report of Investigation, the  
24 Addendum to the Report of Investigation, and Section IV of the Notice of Administrative  
25 Charges, contained accurate statements of fact. The Respondent further stipulated that  
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1 based upon the stipulated facts, the Commission would likely find that the Respondent  
2 violated RCW 42.17.130 and 42.17.750.  
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### 4 **ORDER**

5 Based on the record submitted in this matter, the Commission orders as follows:  
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- 7 1. That the Stipulation of Facts, Violations and Penalty is accepted;
- 8 2. That the Respondent committed multiple violations of RCW 42.17.130 and 42.17.750;
- 9 3. That a total civil penalty of \$2,500.00 is assessed against the Respondent;
- 10 4. That public funds may not be utilized to satisfy any portion of the penalty, which must  
11 be paid in full within 90 days from the date of entry of the Commission's Final Order.  
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### 13 **RECONSIDERATION**

14 Any party may ask the Commission to reconsider this final order. Parties must  
15 place their requests for reconsideration in writing, include the specific grounds or reasons  
16 for the request, and deliver the request to the Public Disclosure Commission Office within  
17 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant  
18 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the  
19 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the  
20 Commission does not either dispose of the petition or serve the parties with written notice  
21 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the  
22 Respondent is not required to ask the Public Disclosure Commission to reconsider the final  
23 order before seeking judicial review by a superior court.  
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1 **APPEAL RIGHTS**

2 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure  
3 Commission is subject to judicial review under the Administrative Procedures Act, chapter  
4 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed  
5 with the superior court in Thurston County or the petitioner's county of residence or  
6 principal place of business. The petition for judicial review must be served on the Public  
7 Disclosure Commission and any other parties within 30 days of the date that the Public  
8 Disclosure Commission serves this final order on the parties.  
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10 If reconsideration is properly sought, the petition for judicial review must be served  
11 on the Public Disclosure Commission and any other parties within thirty (30) days after the  
12 Commission acts on the petition for reconsideration. The Commission will seek to enforce  
13 this final order in superior court under RCW 42.17.395-397, and recover legal costs and  
14 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been  
15 filed under chapter 34.05 RCW. This action will be taken without further order by the  
16 Commission.  
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18 DATED THIS \_\_\_\_ day of March, 2002.  
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21 FOR THE COMMISSION:  
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VICKI RIPPIE, Executive Director  
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